

REMARKS

Prior to entry of this amendment, claims 1-3, 5-10, 12, 13, 21-23, 27, 28, 30, 32 and 34-36 were pending in the application. Of these, claims 3, 5-8, 12, 13, 21-23, 30, 32 and 34-36 were withdrawn from consideration. Applicant hereby amends claims 1 and 27, cancels claims 21-23 and adds new claims 46-49. Accordingly, after entry of this amendment, claims 1-3, 5-10, 12, 13, 27, 28, 30, 32, 34-36 and 46-49 are pending in the application.

Applicant's attorneys wish to thank the Examiner for the courtesy given at the telephonic interview on October 15, 2007. Application of the prior art references to rejected independent claims 1, 27 and 28 was discussed. No agreement was reached. However, the Examiner did indicate that Figure 4C appeared to illustrate patentable subject matter and that claims directed to this subject matter might be found to distinguish over the prior art of record. New claims 46-49 are directed to the embodiment shown in Figure 4C. In light of the Examiner's remarks during the interview, Applicant respectfully requests favorable consideration of these new claims.

Claims 1, 2, 9, 10 and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cotter or Sperry in view of Jacobs and Port. Claim 28 stands rejected under 35 U.S.C. §103(a) as being unpatentable over these same references and further in view of Kreuter. As discussed at the interview, Applicant believes that the Examiner's reliance on Port, in particular, is misplaced.

Port discloses an apparatus for maintaining tension on a cable connecting a power supply to a traveling coal extraction machine. As applied to the rejected claims, the Examiner contends that Port teaches a moveable pulley for tensioning a loop of cable. Applicant acknowledges that pulley 5 in Port is moveable and supplies a constant tensioning force to cable 2. However, the moveable pulley recited in independent claims 1, 27 and 28 performs a function entirely distinct from that of Port's pulley 5. Specifically, the function of Applicant's moveable pulley, as recited in the claims, is to (i) increase tension in the closed loop of cable so that the load moves away from a side of a structure and (ii) decrease tension in the loop so that the suspended load moves towards the side of the structure. In Port, cable 2 is not a closed loop and there is no load suspended by or otherwise attached to cable 2. Decreasing tension in the cable would merely

allow the cable to drape onto the ground, whereas increasing tension in the cable would merely hinder movement of the coal extraction machine.

Considering the teachings of Port without reference to the subject application, a person of ordinary skill in the art would have no conceivable reason to combine Port's moveable pulley with Cotter or Sperry in view of Jacobs. Even if a moveable pulley were to be inserted into the systems of Cotter, Sperry and/or Jacobs, the function of the pulley would be to maintain constant tension in the cable loop as taught by Port. A person of ordinary skill in the art would have no reason to modify the teachings of Cotter, Sperry and Jacobs to provide a moveable pulley that (i) moves in one direction to increase tension in a closed loop of cable so that a load, suspended by the loop, moves away from a side of a structure and (ii) moves in an opposite direction to decrease tension in the loop so that the suspended load moves towards the side of the structure.

When the cited prior art references are properly considered without the benefit of hindsight reconstruction, it is clear that independent claims 1, 27 and 28, as well as the claims that depend therefrom, define patentable subject matter over these references. Accordingly, Applicant respectfully requests that the rejection of these claims under 35 U.S.C. §103(a) be withdrawn.

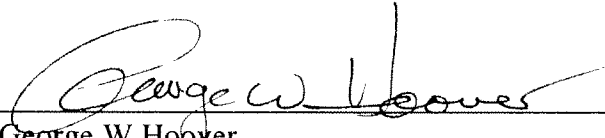
Based on all of the foregoing, Applicant believes that all claims now pending in the application are in condition for allowance and notice to such effect is respectfully requested at the earliest possible date.

Respectfully submitted,

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